

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF ILLINOIS,
STATE OF INDIANA, STATE OF IOWA,
STATE OF MINNESOTA, STATE OF
NEBRASKA, STATE OF OREGON,
STATE OF TENNESSEE, STATE OF
TEXAS, STATE OF WASHINGTON, and
STATE OF WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC,
and CORTEVA, INC.,

Defendants.

Case No. 1:22-cv-00828-TDS-JEP

**SUGGESTION OF
SUBSEQUENTLY DECIDED
AUTHORITY**

Pursuant to Local Rule 7.3(i), Plaintiff Federal Trade Commission and Plaintiff States Indiana, Iowa, and Nebraska hereby submit a suggestion of subsequently decided authority relevant to Defendants' Motions to Dismiss the Amended Complaint (Docs. 94, 99) and Plaintiffs' Response in Opposition thereto (Doc. 110).

The supplemental authority consists of the following two decisions: *FTC v. Precision Patient Outcomes, Inc.*, No. 22-cv-07307, 2023 WL 3242835, at *1 (N.D. Cal. May 3, 2023) (addressing an argument that the FTC lacks constitutional authority to bring suit) (attached hereto as Exhibit A); and *FTC v. Kochava Inc.*, No. 22-cv-00377,

2023 WL 3249809, at *11–*12 (D. Idaho May 4, 2023) (same) (attached hereto as Exhibit B).

Dated: July 25, 2023

Respectfully submitted,

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